

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

v.

TIMOTHY LIVINGSTON,

Defendant.

Crim. No. 15-626 (WJM)

**ORDER**

**THIS MATTER** comes before the Court on an omnibus pre-trial motion filed by Defendant Robert Livingston; and for good cause appearing;

**IT IS** on this 27th day of October 2016 hereby

**ORDERED** that Livingston's motion is **GRANTED in part and DENIED in part**; and it is further

**ORDERED** that Livingston's motion to suppress physical evidence retrieved from his home is **DENIED**; and it is further

**ORDERED** that Livingston's motion to suppress statements made to officers on July 23, 2015 is **DENIED**; and it is further

**ORDERED** that Livingston's request for a *Franks* hearing is **DENIED**; and it is further

**ORDERED** that Livingston's request for *Brady* materials is **DENIED WITHOUT PREJUDICE**; and it is further

**ORDERED** that Livingston's request for *Giglio* materials is **DENIED WITHOUT PREJUDICE**; and it is further

**ORDERED** that Livingston's request for Jencks Act materials is **GRANTED IN PART**; the Government shall produce rough notes at least five days prior to testimony of each Government witness; and it is further

**ORDERED** that Livingston's request concerning the loss or destruction of evidence is **DENIED WITHOUT PREJUDICE**; and it is further

**ORDERED** that Livingston's request for leave to file additional motions is **GRANTED**; and it is further

**ORDERED** that the Government's request for reciprocal discovery is **GRANTED**; and it is further

**ORDERED** that the Government's motion to admit certain business records is **GRANTED**.

/s/ William J. Martini  
**WILLIAM J. MARTINI, U.S.D.J.**